

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW G. SILVA,

Petitioner,

v.

STEVE SINCLAIR,

Respondent.

Case No. C12-1442-JLR

**ORDER DENYING 28 U.S.C. § 2254
HABEAS PETITION AND
DISMISSING MATTER WITH
PREJUDICE**

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, respondent's answer, petitioner's reply, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and orders as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's § 2254 habeas petition is **DENIED** and this matter is **DISMISSED** with prejudice;
3. Petitioner is **DENIED** issuance of a certificate of appealability; and
4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

DATED this 26th day of April, 2013.


JAMES L. ROBERT
United States District Judge